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the  
Crowd!

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Peggy Arvanitas

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april 29, 2000

AIRBORNE dELIVERY

FCC  
Commissioner's Secretary  
Magalie Roman Salas  
445 Twelfth St SW TW-A325  
Washington DC 20554

RE: CC 99-200

Dear Mrs. Salas,

Enclosed for filing on behalf of Peggy Arvanitas are original and  
(4) four copies for the above captioned FCC filing.

Please acknowledge receipt of these documents by stamping the  
extra copy of this letter "filed" and returning same to me.

Thanks,

*Peggy Arvanitas*  
Peggy Arvanitas

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April 28, 2000  
Peggy Arvanitas  
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BEFORE THE FEDERAL COMMUNICATION COMMISSION  
CC Docket 99-200

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It meets with great urgency that we review the measures and guidelines that have been in place for the last four years. Yes, we have broken up the baby bells and let competition flow. We have new players, bigger players, dynamic change and great opportunity for the industry. And as we continue to look forward, ask yourself, "Are you better today than you were four years ago? If you're one of the bigger phone companies with minimum 25% growth, you will probably say "YES." and if you are one of the millions of consumers in the USA, you might say, "no."

Must we forget that famous phrase at the center of every FCC, NANPA, and public Service commission document, "These are the PUBLIC'S numbers." There is nothing in the 1996 telecommunication's Act that would suggest unlimited and unbridled access to numbers. The Industry's ability to tear down the information Highway like "The Wild West" should not overwhelm customers with anxiety. The Public should not be overwhelmed with CHAOS to COMMUNICATE. That the FCC sees nothing wrong with the Industry making their own rules (INC Number Pooling guidelines, for instance), or that NANPA and it's "first come first serve" mentality assigning numbers is paid by billing the phone companies by how many numbers they're assigned, is showing a poor sense of stewardship. It is time the FCC balanced Industry concern for costs with the CONSUMER's concerns. There are so many layers of rules, we don't know what the rules are anymore. And so, maybe the Information highway can go from a gallop to a fast trot, and we can have some continuity and semblance of order with the advent of this docket.

NANPA-GRANDPA

Daddy loves you, but spansks you. Grandpa won't. The FCC is incredibly idealistic to think NANPA will:

- 1) Examine 1000's of companies multiple data submissions for inconsistencies.
- 2) Report abnormalities to FCC or State PSC Commissioners.
- 3) Refuse to assign additional numbers until inconsistency is resolved.
- 4) Expect and assimilate expedited reports from cOCUS to FCC.
- 5) Demand and review with clarification first from PSC's that all Industry members receiving numbers are certified in that State to receive numbers.
- 6) Project exhaust for every NPA in the USA accurately.
- 7) Be the center of review for every carrier in the USA of utilization data tracking and reporting. semi-annually.

Lets be honest with each other. NANPA receives it's income every year by sending out bills to the industry according to how many numbers they received. Why would you bite the hand that feeds you? That is what we call quid pro quo. There is nothing neutral or objective about NANPA. And no one monitors NANPA. The above list is only a partial list of what the FCC in this docket believes is viable for NANPA. Whether the Industry or FCC likes it or not, the State Public Service Commissions will need to control certain check and balance functions. NANPA's sole function is to it's customers. That was a quote in Jan2000 from Tom Foley, a Neustar employee. Formerly a Sprint employee. If these are the PUBLIC'S NUMBERS, who works for the Public? The function of NANPA is NOT TO CONSERVE NUMBERS, nor is it Superman. He's Grandpa, and he doesn't punish, he doesn't spank his children. The FCC needs to release verification, revocation, and penalty functions to the State.

A very troubling episode occurred in the Florida Public Service Commission docket 981444TP between a Neustar employee and a PSC employee. There was a disagreement as to the PSC staff members' figures for exhaust to area codes and the expanded life of area code with number pooling. Bellsouth sued to deposition and retain documents from the PSC employee, Levent Ileri. The Interrogatories in the lawsuit continually made mention of Neustar employee- Tom Foley's discussion of alternative plans for area code relief. That the premise, from the Industry, and obviously from discussions back and forth with the Neustar -NANPA employee were that his plans were somehow superior was insidious. Tom foley's function was for his customers. The pSC employee disagreed. That the Neustar's opinion and projections were superior, to the point that Bellsouth would prepare a legal challenge to intimidate a state employee did not show good judgement from Neustar and present and maintain their level of neutrality. NANPA is not the steward of numbers for the people, but for the Industry. (See Exb A-C)

### UTILIZATION THRESHHOLDS AS A MEASUREMENT OF USAGE

Before 1996 Telecommunication's Act, Bellcore used utilization thresholds as a gauge of usage, before more NXX codes were released. Upon 1993, Bellcore went to a MTE formula. It was a projection of usage. How many numbers you actually assign to customers is, believe it or not, considered proprietary. All carriers, including CMRS providers, should release data to the Public Service Commissions. But they need the FCC to make an order. Since previous to 1996 Telecommunication's Act, land line companies were the only type of company regulated by PSC's and most state legislation, like Florida's, gets killed when modification is attempted to include all carriers. If COCUS can't get data, and if you don't allow the States to receive and review it, how can you project jeopardy relief? NANPA can't. States, not NanPA needs to have ALL carriers' information.

On the subject of utilization threshold percentages, 70% would be a good marker. Of course, if you have 30 year old copper wiring and 15 year old Lucent AESS and 5ESS fixed switches, your fill rates will be lower. Cable companies, companies with fiber optic wiring and newer variable switches have higher utilization thresholds. Therefore, if fill rates seem higher to some, then those carriers need to upgrade their equipment. Of course, with PBX equipment, there will never be 100% utilization. You would shut down or black out, as my brother used to say.

It is interesting that the Industry does not want to go back to fill rates. But certifying usage of an NXX code obviously is not working. You have no punishment for incorrect information. Definately, higher fill rates for the top 100 MSA's I do not know why it is inconvenient for the Industry to have the PSC of the state review utilization thresholds first, before allowing NANPA to release numbers. The only way States can review certification, usage, and pending jeopardy relief is to have an ongoing review of the flow of numbers. I have made my point that NANPA and number conservation are contrapunctual. Remember, number pooling is supposed to be painful. If you are having to give back numbers, there is an inefficiency involved. You had more numbers than you needed, did vanity numbers and took them out of sequence. The FCC and Industry are losing sight. "These are the PUBLIC's numbers" Number pooling is called "sharing." The nice community wants everyone maximizing the use of numbers because they don't like the chaos of area code split or overlay. The people are customers, and you provide a service with their numbers, that dirty word, brace yourself, "SHARING the PUBLIC'S numbers."

JEOPARDY RELIEF-NAN CODE & INC POOLING GUIDELINES DON'T JIVE

Jeopardy relief is declared when 80% of the NPA's are allocated to NANPA's customers, the phone Industry. the NXX's(10,000 block of numbers) are not released, until after long lengthy hearings with Industry and Consumers. The NXX Co-ordinator, usually the ILEC has explicit instructions from the NAN code. They are:

- 4) Avoid NXX activation and/or changes occurring simultaneously with an NPA split or other relief activity.
- 5) Avoid Carrier ownership changes simultaneously with an NPA split or any other relief activity.

INC pooling Guidelines, though, are the opposite. As they are written, during Jeopardy relief, numbers will continue to be released in blocks of 1000. Growth codes will be assigned, but not initial codes. So, does this mean, no new entrants into the NPA for what could be a year? Then ILEC's will continue to get numbers, but CLEC's who might be cable companies, won't. Does this make sense to you?

First of all, the FCC is unclear. Since CMRS providers and paging companies are not LNP capable, they won't do number pooling. They receive numbers in 10,000 blocks, but land line companies won't. Is this a violation of Section 251 of the 1996 Telecommunication's Act? It's what I perceive as a violation of "the competitively neutral" clause. And what is the FCC going to do? For two more years, a subset of carriers will be the only ones receiving 10,000 numbers, in the same area as a group of carriers receiving numbers in 1000 block. This is crazy. During jeopardy relief NOBODY gets numbers until the hearings and the review is over.

It is my understanding that if carriers are not LNP capable, they can't do number pooling because number pooling needs LNP capability to port back qualified contaminated and uncontaminated numbers to the pooling administrator. But I do not see that additional switching infrastructure is needed to RECEIVE numbers in 1000 blocks so as to sustain the "competitive neutrality" of number assignment. This is obviously another example of the Industry pushing and promoting rules that benefit themselves. I heard that certain key PSC staff members had a call in number changed, and that the final revision did not have the State's revision. This obviously needs to be revised with the Public's interest at heart. (This was at a Jan. 2000 NANC meeting.)

UNP-IS A NO-NO!

I have very strong opinions about UNP. The Telephone Industry has said, it does not want to buy numbers. For some reason, FCC thinks this will slow them out of the gate, so to speak. (Why aren't there more rules for NANPA? Who is reviewing NANPA?) Unassigned number porting is done between agreeable companies. There is not a charge, because an administrator is not assigned. But I want to show you, if this function (UNP) occurs, you would be buying numbers, indirectly.

Let's review this scenario. There is jeopardy relief in an area, and an ILEC does not have access to numbers. He sees a smaller company. That company is in area X and has XX numbers that has been allocated to him in the past. The ILEC buys the company. He has a numbering need. In a number pooling situation, ~~the~~ pooling administrator would expect disclosure from this small company, and most likely take them back. If we allow UNP, we might as well sell the numbers for use. Don't tell me, because I've done business brokerage, that companies ~~report~~ report just their customer base. Unassigned numbers have value in a shrinking market.

The VOLUNTARY STIPULATION

The Voluntary stipulation is the framework by which Number Pooling is implemented. I believe it was hastily thrown together, a complex document that the States did not have time to digest. Of course, I see the FCC has taken time to break down in groups, the number categories, and that is good. Unfortunately, you missed a BIG LOOPHOLE! And that is the "9 months of inventory" clause. When asked how they would measure the inventory count, the Florida attorneys in the PSC dockets representing all these big companies said they use the months to exhaust measurement. Well, if I don't know what concrete measurement, or number ONE MONTH of inventory is, how do I know that the phone companies will wrap 20 years of phone numbers around their gut, and refuse to release any numbers? The Florida phone companies were already saying "it's proprietary." Now, their fill rates are proprietary, their enhanced vertical phone service revenues are proprietary..... The Industry has a LOOPHOLE and intends to use it.

If I took the last year's of new NXX allocation, added the utilization thresholds for those numbers, and divided it by 6 or 9 months.. 100,000 released, 50% fill rate, therefore 50,000 numbers allocated per year. That is 25,000 numbers per 6 months.

If you want number pooling to work, I need to see a more concrete measurement that is verifiable for the States. So, can you tell, by the vagueness, that the Industry created that document? Why is it that a RE/MAX realtor who reviews and writes contracts to close is the only one reviewing the enforceability of an agreement?

Also, upon careful study of our Number Pooling subcommittee in Fla.PSC docket 981444TP, the 10% threshold for "qualified contaminated" numbers" was too low. The cable company, Media One, said the threshold should be at least 25%. I agree. It does not take any more computer -equipment allocation to port 900 numbers back to the pooling administrator, than it does to port 750 numbers back to the pooling administrator. We did see, in our number pooling subcommittee aggregate data that the area codes (NPA's) in the top 100 Metropolitan service areas (MSA's) had the least amount of qualified contaminated numbers per NXX to pool. I believed that vanity numbers, or excessive PBX allocation might be a reason for this.

FREEDOM OF INFORMATION, PLEASE NANPA

The FCC has not fully reviewed the jeopardy relief proclamation that is done by NANPA to the state PSC's. Florida had over 7 area codes in jeopardy relief in a 2 1/2 year period. It would be safe to say that enforcement action would be lax in the state by nature that the staff and commissioners would be engrossed in the burden of hearings. Obviously, there should be a web site review for even citizens to review the percentage of numbers being allocated to vendors. These States have budgets, and so do the citizens. obviously, if the FCC picked an area code and released a breakdown of number allocation, i would bet after 60% NXX's allocated, the NANPA administrator would say something, and you would see an acceleration. Has the FCC ever thought about this or done it? If no, then WHY NOT? These are the public's numbers.

In closing, I would like to say, that it's been a year since I first filed an FCC filing. I have a much greater understanding of equipment, and cost factors. We have ~~been~~ American telephony companies wiring fiber optics in foreign countries before they "broadband" America. The American people, I believe are subsidizing a new cottage industry for the USA to export to the world. If I port my number from you, and it cost you money, then your price was too high or service was poor. And that's not my financial burden, this is my number. And if you have inefficient allocation of numbers in a 10,000 (NXX) block and you have to give them back if they're unused, then why am I absorbing the cost of your equipment releasing my numbers? These are the PUBLIC's numbers. It's not your God given right to expect cost-plus re-imbursement.

*Arvanitas* *pegremax2000@yahoo.com*

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for review of proposed numbering plan relief for the 305/786 area code _____ )	) Docket No. 990455-TL
In re: Request for review of proposed numbering plan relief for the 561 area code _____ )	) Docket No. 990456-TL
In re: Request for review of proposed numbering plan relief for the 954 area code _____ )	) Docket No. 990457-TL
In re: Request for review of proposed numbering plan relief for the 904 area code _____ )	) Docket No. 990517-TL
In re: Number Utilization Study: Investigation into Number Conservation Measures _____ )	) Docket No. 981444-TP
	) Filed: April 11, 2000

**BELLSOUTH TELECOMMUNICATIONS, INC.'s  
FIRST REQUEST FOR PRODUCTION OF DOCUMENTS (Nos. 1-5 )  
TO THE STAFF OF THE FLORIDA PUBLIC SERVICE COMMISSION**

Pursuant to Rule 28-106.206, Florida Administrative Code, and Rules 1.280 and 1.350, Florida Rules of Civil Procedure, BellSouth Telecommunications, Inc. ("BellSouth" or "Company") by and through its attorneys, request the Staff of the Florida Public Service Commission ("Staff") to produce the following documents for inspection and copying at the offices of BellSouth Telecommunications, Inc., 150 South Monroe Street, Suite 400, Tallahassee, Florida or at such other place as may be mutually agreed upon by counsel.



NOTICE OF DEPOSITION – ILERI

DOCKET NOS. 990455-TP, 990456-TP, 990457-TP, 990517-TP and 981444-TP

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NOTICE is hereby given that BellSouth Telecommunications, Inc. will take the deposition of the following named individual:

**Levent Ileri**

At the following location and time indicated:

**10:00 a.m., Monday April 24, 2000**

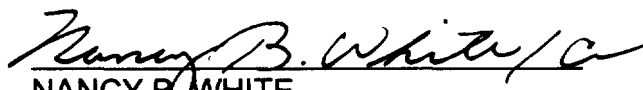
**150 South Monroe Street  
First Floor - Conference Room  
Tallahassee, Florida**

Please bring with you copies of all the work papers or other materials used by you in the preparation of any testimony filed or exhibits submitted in any of these dockets.

This deposition is being taken for purposes of discovery, for use at trial, or for any other purpose allowed under the Florida Rules of Civil Procedure and the Rules of the Florida Public Service Commission.

Please govern yourselves accordingly.

BELLSOUTH TELECOMMUNICATIONS, INC.



NANCY B. WHITE

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cc: Court Reporter

204712

INTERROGATORIES

At the 904 service hearings Mr. Tom Foley of Neustar discussed a number of alternative plans for area code relief. Of the 17 plans discussed, Mr. Foley indicated that the estimated exhaust dates for 11 of the plans, and several of the plans themselves were developed by Staff. For each such plan, or estimated exhaust date developed by Staff, provide the following information:

- a. An explanation of the assumptions used in determining the exhaust dates.
- b. An explanation of how the exhaust dates were developed.
- c. Identify any documents that relate to the plans or exhaust dates.

2. At the 305/786 service hearings Mr. Tom Foley of Neustar discussed a number of alternative plans for area code relief. Of the 13 plans discussed, Mr. Foley indicated that 8 of the plans were developed by Staff. For each such plan, provide the following information:

- a. An explanation of the assumptions used in determining the exhaust dates.
- b. An explanation of how the exhaust dates were developed.
- c. Identify any documents that relate to the plan.

3. At the 954 service hearings Mr. Tom Foley of Neustar discussed a number of alternative plans for area code relief. Of the 4 plans discussed, Mr. Foley indicated that 2 of the plans were developed by Staff. For each such plan, provide the following information:

- a. An explanation of the assumptions used in determining the exhaust dates.
- b. An explanation of how the exhaust dates were developed.
- c. Identify any documents that relate to the plan.

4. At the 561 service hearings Mr. Tom Foley of Neustar discussed a number of alternative plans for area code relief. Of the 12 plans discussed, Mr. Foley indicated that 6 of the plans were developed by Staff. For each such plan, provide the following information:

- a. An explanation of the assumptions used in determining the exhaust dates.
- b. An explanation of how the exhaust dates were developed.
- c. Identify any documents that relate to the plan.

As Tom Foley told me Jan 2000,  
his "customers are the phone companies  
he distributes numbers to, not the  
Public."

Neustar, the New NANPA administrator,  
as of Nov 23, 1999. NANPA gets paid  
at the end of every year by billing  
"Industry" per NXX's distributed.